


APR 24 2013

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SAMUAL R. MILLS,
Petitioner,

v.

COMMONWEALTH OF
VIRGINIA CIRCUIT COURT
AND FOR ORANGE COUNTY,
Respondent.

) Civil Action No. 7:13-cv-00180
)
)
)

) 2254 FINAL ORDER
)
)
)

) By: Samuel G. Wilson
) United States District Judge
)

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Mills' 28 U.S.C. § 2254 petition is **DISMISSED without prejudice**, Mills' motion to proceed *in forma pauperis* (ECF No. 2) is **DENIED as moot**, and this action shall be **STRICKEN** from the active docket of the court. Further, finding that Mills has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner.

ENTER: April 24, 2013.


UNITED STATES DISTRICT JUDGE